

1 AN ACT in relation to aeronautics.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Aeronautics Act is amended by
5 changing Section 43d as follows:

6 (620 ILCS 5/43d) (from Ch. 15 1/2, par. 22.43d)
7 Sec. 43d. Intoxicated persons in or about aircraft.

8 (a) No person shall:

9 (1) Operate or attempt to operate any aircraft in
10 this State while under the influence of intoxicating
11 liquor or any narcotic drug or other controlled
12 substance.

13 (2) Knowingly permit any individual who is under
14 the influence of intoxicating liquor or any narcotic drug
15 or other controlled substance to operate any aircraft
16 owned by the person or in his custody or control.

17 (3) Perform any act in connection with the
18 maintenance or operation of any aircraft when under the
19 influence of intoxicating liquor or any narcotic drug or
20 other controlled substance, except medication prescribed
21 by a physician which will not render the person incapable
22 of performing his duties safely.

23 (4) (i) Consume alcoholic liquor within 8 hours
24 prior to operating or acting as a crew member of any
25 aircraft within this State.

26 (ii) Act as a crew member of any aircraft
27 within this State while under the influence of
28 alcohol or when the alcohol concentration in the
29 person's blood or breath is 0.04 or more based on
30 the definition of blood and breath units contained
31 in Section 11-501.2 of the Illinois Vehicle Code.

1 (iii) Operate ~~or act as a crew member~~ of any
 2 aircraft within this State when the alcohol
 3 concentration in the person's blood or breath is
 4 0.04 or more based on the definition of blood and
 5 breath units contained in Section 11-501.2 of the
 6 Illinois Vehicle Code.

7 (iv) Operate or act as a crew member of any
 8 aircraft within this State when there is any amount
 9 of a drug, substance, or compound in the person's
 10 blood or urine resulting from the unlawful use or
 11 consumption of cannabis as listed in the Cannabis
 12 Control Act or a controlled substance as listed in
 13 the Illinois Controlled Substance Act.

14 (5) Knowingly consume while a crew member of any
 15 aircraft any intoxicating liquor, narcotic drug, or other
 16 controlled substance while the aircraft is in operation.

17 (b) Any person who violates clause (4)(i) of subsection
 18 (a) any provision of this Section is guilty of a Class A
 19 misdemeanor. A person who violates paragraph (2), (3), or (5)
 20 or clause (4)(ii) of subsection (a) of this Section is guilty
 21 of a Class 4 felony. A person who violates paragraph (1) or
 22 clause (4)(iii) or (4)(iv) of subsection (a) of this Section
 23 is guilty of a Class 3 felony.

24 (Source: P.A. 87-458.)